"Express Mail" mailing label number EV 339770691 US Date of Deposit: June 20, 2003

Our Case No.: 3614/171

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alan Y. Chow et al.

Serial No.: Not yet assigned

Filing Date: Herewith

For: MULTI-PHASIC

MICROPHOTODIODE RETINAL

IMPLANT AND ADAPTIVE IMAGNING RETINAL

STIMULATION SYSTEM

Prior Application Examiner: K. Schaetzle

Prior Group Art Unit No.3762

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

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In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

This application is a continuation application of U.S. Serial No. 09/824,519, filed April 2, 2001 which is a Continuation of U.S. Patent Application Serial No. 09/100,336, filed March 26, 1998, now issued as U.S. Patent No. 6,230,057, which is a Continuation of U.S. Patent Application Serial No. 08/642,702, filed June 3, 1996, which was assigned U.S. Patent No. 5,735,886, now withdrawn, which is a Continuation-In-Part of U.S. Patent Application Serial No. 08/465,766, filed June 6, 1995, now issued as U.S. Patent No. 5,895,415 and is relied upon for an earlier filing dated under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) no copies of documents are being submitted to the Patent and Trademark Office because they were previously cited and submitted in the prior applications.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

Vincent J. Gnoffo

Registration No. 44,714 Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE P.O. Box 10395 Chicago, IL 60610 (312) 321-4200

FORM PTO-1449	SERIAL NO.	CASE NO.
	Not yet assigned	3614/171
LIST OF PATENTS AND PUBLICATIONS FOR	FILING DATE	GROUP ART UNIT
APPLICANT'S INFORMATION DISCLOSURE	Herewith	FROM PRIOR
STATEMENT		APPLICATION
		3762
(use several sheets if necessary)	APPLICANT(S): Alan Y. Chow e	et al.

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